

1 HOUSE JOINT RESOLUTION 3

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Andy Nuñez

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8 FOR THE ECONOMIC AND RURAL DEVELOPMENT COMMITTEE

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO
12 ALLOW THE LEGISLATURE TO NULLIFY AN ADOPTED ADMINISTRATIVE
13 REGULATION OR RULE OF AN EXECUTIVE AGENCY BY THE PASSAGE OF A
14 RESOLUTION BY A MAJORITY OF THE LEGISLATURE.

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16 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. It is proposed to amend Article 4 of the
18 constitution of New Mexico by adding a new section to read:

19 "Regulations or rules adopted by an executive agency
20 pursuant to legislative delegation have the force and effect of
21 law, but such regulations or rules are not equal in status to
22 statutory law. The legislature may nullify an adopted
23 administrative regulation or rule of an executive agency by the
24 passage of a resolution by a majority of the members elected to
25 the senate and a majority of the members elected to the house

.183408.1

1 of representatives."

2 SECTION 2. The amendment proposed by this resolution
3 shall be submitted to the people for their approval or
4 rejection at the next general election or at any special
5 election prior to that date that may be called for that
6 purpose.

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